



DOCKET FILE COPY ORIGINAL

OWENSBORO PUBLIC SCHOOLS

"A Tradition of Excellence Since 1871"

1335 West Eleventh Street
P.O. Box 249
Owensboro, Kentucky 42302-0249

RECEIVED & INSPECTED

JUN 11 2003

FCC - MAILROOM

Larry Vick, Ed.D.
Superintendent
Phone: (270) 686-1000
FAX: (270) 684-5756

June 9, 2003

Federal Communications Commission
Office of the Secretary
445 - 12th Street, SW
Washington, DC 20554

Re: Appeal and/or Waiver Request by
Owensboro Independent School District to
Universal Service Administrative Company
Decision on Appeal Dated April 14, 2003;
CC Docket Nos. 96-45 and 97-21

Contact Name:	Ron Milliner
Address:	1335 West Eleventh Street Owensboro, KY 42301
Phone:	(270) 686-1000
Fax:	(270) 686-2686
Email:	rmilliner@owensboro.k12.ky.us

Form 471 Application No.:	241629
Funding Year:	07/01/2001 - 06/30/2002
Document Date: initial filing	01/18/2001
initial appeal	10/30/2002
Billed Entity No.:	128995
Funding Request Nos.:	574677, 574726, 574750, 574781, 574842, 574873, 574924, 574972, 575048, 575095, 575129, 637344, 637450, 637508, 637595, 637677

Dear Sir or Madam:

This letter and its enclosures are being submitted as the appeal of the Owensboro Independent School District (the "District") to the Administrator's Decision on Appeal - Funding Year 2001-2002 dated April 14, 2003, attached hereto as Exhibit "A" (the "Administrator's Decision"), which denied the District's appeal of an earlier finding that the District's Form 471 application had not been timely filed — i.e. on January 19, 2001, instead of the required January 18, 2001. The District disagreed with that initial finding, and continues to disagree with the same finding on appeal. By this appeal we are asking the Commission to review and

overturn that denial of funding, which denial is based on documentary evidence that is indisputably ambiguous, and on an improper reliance on this Commission's decision in the South Barber United School District case.

In the alternative, we would request that the Commission grant our District a waiver in regard to the subject filing deadline issue. In the Administrator's Decision the finding adverse to our District was said to be based upon, and consistent with, this Commission's decision in the therein cited South Barber United School District proceeding. We respectfully take issue with that apparently controlling portion of the Administrator's Decision.

The instant factual situation is not comparable with that faced by your Commission when it rendered its South Barber decision. In that matter there was no ambiguity, but merely an admitted failure by South Barber to submit perhaps the most material portion of the application materials by the filing deadline — and no reasonable excuse for failing to do so. In the instant case, our District makes no such concession, and would not be speaking candidly with the Commission if it did so. The documentation leading to the January 18 versus January 19 postmark issue creates an ambiguity that leaves us with little alternative other than to speak with those involved at the time. Those individuals — i.e. Mary Ann Payton, the then District Technology Coordinator, who has subsequently left our district, but whose Affidavit is attached hereto as Exhibit "F", and Patrick Osborne, owner of Packages Plus — are adamant in insisting the subject application package was delivered to Packages Plus for mailing on January 18, 2001, and in turn delivered to the United States Post Office later that same evening. The cash receipt discovered in the District's file contains an illegible date that Ms. Payton covered with scotch tape for preservation purposes, as further reflected by her handwritten note thereon reflecting the importance of the January 18, 2001, mailing date (See Exhibits "E" and "F" attached hereto). Unfortunately, the chemical effect of the covering tape, which was meant to be protective, has completely obliterated the crucial receipt date. Otherwise this matter would not be before the Commission.

This ambiguity has resulted in the Administrator's Decision adverse to the funding interests of our District. In the event the Commission affirms that previous finding, we would ask that the Commission grant our request for a waiver for what will have been found to be a missed filing deadline. We understand that such waivers are rarely granted; and then only under special circumstances where a deviation from the rules would serve the public interest. Our district would submit that the instant situation could not more closely depict the "special circumstances" deemed appropriate for such a waiver.

Our District serves a high free and reduced lunch population that is both challenging and expensive to educate. Funding such as that herein discussed is crucial to our ability to adequately serve the needs of our students. We are confident the Commission is cognizant of the budget difficulties being faced by most school districts and governmental agencies. Unfortunately, due to a change of administration in the Technology Department in our District, the fact that the subject Form 471 funding application had not been acted on by the Universal Service Administrative Company (USAC) was not timely discovered. This is not to say that all of the funding applied for was budgeted and spent. However, it is to say that considerable programming was continued, and the absence of any response to the January 18-19, 2001, application for year 2001-2002 funding was not discovered until the fall of 2002.

Enclosed as exhibits to this appeal and/or request for waiver are the following:

Exhibit A: April 14, 2003, denial letter from Universal Service Administrative Company, Schools and Libraries Division containing the Administrator's Decision on Appeal - Funding Year 2001 - 2002 that is the subject of this appeal and/or request for waiver.

Exhibit B: Form 471 Application documents originally submitted on January 18-19, 2001.

Exhibit C: District's appeal letter to Schools and Libraries Division dated October 30, 2002.

Exhibit D: Packages Plus letter dated March 12, 2003.

Exhibit E: Cash receipt from Packages Plus with obliterated date, but handwritten confirmation as to same.

Exhibit F: Affidavit of Mary Ann Payton.

The technology funding available through the Schools and Libraries Division being sought by our District is critically important to school districts, and perhaps particularly so for those serving populations like that we serve. We are convinced our Form 471 filing met all program filing deadlines and other requirements, and has heretofore been improperly denied due solely to an ambiguity created by certain postmark documentation. The United States Post Office refuses to issue a letter verifying a mailing on either January 18 or 19, 2001. Nevertheless, there can be little argument but that for the Commission to grant our appeal, or at least grant our waiver request, will be in the best interest of the public. We are confident the Commission will concur with that position.

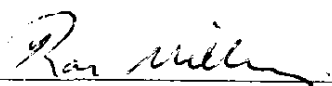
Due to the critical importance of the subject funding to our District, we would welcome the opportunity to have a representative of our District appear personally at a time and place of the Commission's choosing to discuss and explain any of the enclosed, and to let the Commission examine the original, albeit illegible, Package Plus cash receipt that is perhaps most directly connected to the matter at issue.

Respectfully submitted this 9th day of June, 2003.

Owensboro Independent School District

By


Larry D. Vick, Superintendent


Ron Milliner,
District Technology Director

STATE OF KENTUCKY

COUNTY OF DAVIESS

Subscribed And Sworn To before me by Larry D. Vick, Superintendent, and Ron Milliner, District Technology Director, of the Owensboro Independent School District, who stated that the statements contained in the preceding three (3) pages and all Exhibits attached are true and accurate as they verily believe. This 9th day of June, 2003.

Sarah Clark
Notary Public, State-At-Large
My commission expires: 10-15-06

document or a letter from the USPS which would clarify the date that the Form 471 package was mailed. You were unable to provide either form of documentation but did send a letter from your mailing service, Packages Plus, wherein Packages Plus stipulates that they received a letter from Owensboro High School for certification on January 18, 2001 and they presented that letter to Owensboro Post Office on the same day. However, the envelope received by NCS in Kansas clearly reflects a stamped date of January 19, 2001. In a conversation with you on March 13, 2002, you indicated that the stamp on the envelope is that of the mailing service and not the post office, which does not confirm, but contradicts, the statement that the letter was received and mailed on January 18, 2001. Since you were unable to provide any documentation that the Form 471 certification was mailed prior to the close of the Funding Year 2001 window on January 18, 2001, your appeal is denied.

- Consistent with the FCC Decision on South Barber Unified School District, the signature certification is fundamental to the administration of the program. SLD relies on the signature certification to establish the authority of the signer to represent the applicant. Signature certifications ultimately satisfy the program's policy objective of binding the applicants and service providers to the program requirements. Failing to submit a signature certification omits the legally binding act that signifies compliance with program rules.¹
- As referenced in the South Barber decision, the purpose of a filing window is to put all applicants who file within the window on equal footing.² Allowing applicants to correct their applications and resubmit them after the window has closed would eliminate any incentive to comply with SLD's document demands in a timely fashion, and could jeopardize SLD's ability to accurately apply the rules of priority in years where requests for funding exceed the annual funding cap.³ Therefore, your appeal is denied in full and your application will not be data entered.

If you believe there is a basis for further examination of your application, you may file an appeal with the Federal Communications Commission (FCC) via United States Postal Service: FCC, Office of the Secretary, 445-12th Street SW, Washington, DC 20554. If you are submitting your appeal to the FCC by other than United States Postal Service, check the SLD web site for more information. Please reference CC Docket Nos. 96-45 and 97-21 on the first page of your appeal. **The FCC must RECEIVE your appeal WITHIN 60 DAYS OF THE ABOVE DATE ON THIS LETTER for your appeal to be filed in a timely fashion.** Further information and new options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD web site, www.sl.universalservice.org.

¹ *Request for Review of the Decision of the Universal Service Administrator by South Barber Unified School District 252, Changes to the Board of Directors of the National Exchange Carriers Association, Inc.*, File No. SLD-158897, CC Dockets No. 96-45- and 97-21, Order, DA 01-2233 (Com. Car. Bur. Rel. Oct. 23, 2001).

² *Id.*

³ *Id.*

We thank you for your continued support, patience, and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company

YR 4

Close Print Preview

Copy

j. Internet Access: How many computers (or other devices) with Internet access before and after your order?	850	1061
---	-----	------

Block 4: Worksheets

Worksheet A No: 263863 Student Count: 4050
 Weighted Product (Sum. Column 8): 3178.8 Shared Discount: 78%

1. School Name: CRAVENS ELEMENTARY SCHOOL
 2. Entity Number: 45534 3. Rural/Urban: Urban
 4. Student Count: 316 5. NSLP Students: 254 6. NSLP Students/Students: 80.379%
 7. Discount: 90% 8. Weighted Product: 284.4

1. School Name: ESTES ELEMENTARY SCHOOL
 2. Entity Number: 45560 3. Rural/Urban: Urban
 4. Student Count: 365 5. NSLP Students: 338 6. NSLP Students/Students: 92.602%
 7. Discount: 90% 8. Weighted Product: 328.5

1. School Name: FOUST ELEMENTARY SCHOOL
 2. Entity Number: 45535 3. Rural/Urban: Urban
 4. Student Count: 346 5. NSLP Students: 276 6. NSLP Students/Students: 79.768%
 7. Discount: 90% 8. Weighted Product: 311.4

1. School Name: NEWTON PARRISH ELEM SCHOOL
 2. Entity Number: 45569 3. Rural/Urban: Urban
 4. Student Count: 320 5. NSLP Students: 130 6. NSLP Students/Students: 40.625%
 7. Discount: 60% 8. Weighted Product: 192

1. School Name: OWENSBORO 5TH-6TH GRADE CENTER
 2. Entity Number: 45545 3. Rural/Urban: Urban
 4. Student Count: 568 5. NSLP Students: 373 6. NSLP Students/Students: 65.669%
 7. Discount: 80% 8. Weighted Product: 454.4

1. School Name: OWENSBORO HIGH SCHOOL
 2. Entity Number: 45543 3. Rural/Urban: Urban
 4. Student Count: 1070 5. NSLP Students: 557 6. NSLP Students/Students: 52.056%
 7. Discount: 80% 8. Weighted Product: 856

1. School Name: OWENSBORO MIDDLE SCHOOL
 2. Entity Number: 45540 3. Rural/Urban: Urban
 4. Student Count: 580 5. NSLP Students: 352 6. NSLP Students/Students: 60.689%
 7. Discount: 80% 8. Weighted Product: 464

1. School Name: SEVEN HILLS ELEMENTARY SCHOOL
 2. Entity Number: 45561 3. Rural/Urban: Urban
 4. Student Count: 152 5. NSLP Students: 109 6. NSLP Students/Students: 71.710%
 7. Discount: 80% 8. Weighted Product: 121.6

1. School Name: SUTTON ELEMENTARY SCHOOL
 2. Entity Number: 45538 3. Rural/Urban: Urban

4. Student Count: 333 5. NSLP Students: 94 6. NSLP Students/Students: 28.228%
 7. Discount: 50% 8. Weighted Product: 166.5

Worksheet A No: 263938

Student Count: 1027

Weighted Product (Sum. Column 8): 924.3

Shared Discount: 90%

1. School Name: CRAVENS ELEMENTARY SCHOOL
 2. Entity Number: 45534 3. Rural/Urban: Urban
 4. Student Count: 316 5. NSLP Students: 254 6. NSLP Students/Students: 80.379%
 7. Discount: 90% 8. Weighted Product: 284.4

1. School Name: ESTES ELEMENTARY SCHOOL
 2. Entity Number: 45560 3. Rural/Urban: Urban
 4. Student Count: 365 5. NSLP Students: 338 6. NSLP Students/Students: 92.602%
 7. Discount: 90% 8. Weighted Product: 328.5

1. School Name: FOUST ELEMENTARY SCHOOL
 2. Entity Number: 45535 3. Rural/Urban: Urban
 4. Student Count: 346 5. NSLP Students: 276 6. NSLP Students/Students: 79.768%
 7. Discount: 90% 8. Weighted Product: 311.4

Block 5: Discount Funding Request(s)

FRN: 574677	
11. Category of Service: Internet Access	12. 470 Application Number: 720280000324844
13. SPIN: 143008987	14. Service Provider Name: Owensboro Municipal Utilities
15. Contract Number: 100-98	16. Billing Account Number: 1100-7476
17. Allowable Contract Date: 01/10/2001	18. Contract Award Date: 06/15/1997
19a. Service Start Date: 07/01/2001	19b. Service End Date:
20. Contract Expiration Date: 08/15/2002	
21. Attachment #: OMUYR4	22. Block 4 Worksheet No.: 263863
23a. Monthly Charges: \$1,500.00	23b. Ineligible monthly amt.: \$.00
23c. Eligible monthly amt.: \$1,500.00	23d. Number of months of service: 12
23e. Annual pre-discount amount for eligible recurring charges (23c x 23d): \$18,000.00	
23f. Annual non-recurring (one-time) charges: \$.00	23g. Ineligible non-recurring amt.: \$.00
23h. Annual pre-discount amount for eligible non-recurring charges (23f - 23g): \$0.00	
23i. Total program year pre-discount amount (23e + 23h): \$18,000.00	
23j. % discount (from Block 4): 78	
23k. Funding Commitment Request (23i x 23j): \$14,040.00	

FRN: 574726	
11. Category of Service: Telecommunications	12. 470 Application Number: 720280000324844

Service	
13. SPIN: 143004824	14. Service Provider Name: BellSouth Telecommunications, Inc.
15. Contract Number: T	16. Billing Account Number: 270-686-1000
17. Allowable Contract Date: 01/10/2001	18. Contract Award Date:
19a. Service Start Date: 07/01/2001	19b. Service End Date: 06/30/2002
20. Contract Expiration Date:	
21. Attachment #: BSTYR4	22. Block 4 Worksheet No.: 263863
23a. Monthly Charges: \$7,195.00	23b. Ineligible monthly amt.: \$0.00
23c. Eligible monthly amt.: \$7,195.00	23d. Number of months of service: 12
23e. Annual pre-discount amount for eligible recurring charges (23c x 23d): \$86,340.00	
23f. Annual non-recurring (one-time) charges: \$0.00	23g. Ineligible non-recurring amt.: \$0.00
23h. Annual pre-discount amount for eligible non-recurring charges (23f - 23g): \$0.00	
23i. Total program year pre-discount amount (23e + 23h): \$86,340.00	
23j. % discount (from Block 4): 78	
23k. Funding Commitment Request (23i x 23j): \$67,345.20	

FRN: 574750	
11. Category of Service: Telecommunications Service	12. 470 Application Number: 720280000324844
13. SPIN: 143001182	14. Service Provider Name: Community Telephone Corporation
15. Contract Number: T	16. Billing Account Number: 270-686-1000
17. Allowable Contract Date: 01/10/2001	18. Contract Award Date:
19a. Service Start Date: 07/01/2001	19b. Service End Date: 06/30/2002
20. Contract Expiration Date:	
21. Attachment #: LDMYR4	22. Block 4 Worksheet No.: 263863
23a. Monthly Charges: \$3,000.00	23b. Ineligible monthly amt.: \$0.00
23c. Eligible monthly amt.: \$3,000.00	23d. Number of months of service: 12
23e. Annual pre-discount amount for eligible recurring charges (23c x 23d): \$36,000.00	
23f. Annual non-recurring (one-time) charges: \$0.00	23g. Ineligible non-recurring amt.: \$0.00
23h. Annual pre-discount amount for eligible non-recurring charges (23f - 23g): \$0.00	
23i. Total program year pre-discount amount (23e + 23h): \$36,000.00	
23j. % discount (from Block 4): 78	
23k. Funding Commitment Request (23i x 23j): \$28,080.00	

FRN: 574781	
11. Category of Service: Telecommunications Service	12. 470 Application Number: 720280000324844
13. SPIN: 143000686	14. Service Provider Name: BellSouth Mobility, Inc..
15. Contract Number: MTM	16. Billing Account Number: 270-686-1000
17. Allowable Contract Date: 01/10/2001	18. Contract Award Date:
19a. Service Start Date: 07/01/2001	19b. Service End Date: 06/30/2002

20. Contract Expiration Date:	
21. Attachment #: BSMYR4	22. Block 4 Worksheet No.: 263863
23a. Monthly Charges: \$1,142.00	23b. Ineligible monthly amt.: \$.00
23c. Eligible monthly amt.: \$1,142.00	23d. Number of months of service: 12
23e. Annual pre-discount amount for eligible recurring charges (23c x 23d): \$13,704.00	
23f. Annual non-recurring (one-time) charges: \$.00	23g. Ineligible non-recurring amt.: \$.00
23h. Annual pre-discount amount for eligible non-recurring charges (23f - 23g): \$0.00	
23i. Total program year pre-discount amount (23e + 23h): \$13,704.00	
23j. % discount (from Block 4): 78	
23k. Funding Commitment Request (23i x 23j): \$10,689.12	

FRN: 574842	
11. Category of Service: Internet Access	12. 470 Application Number: 720280000324844
13. SPIN: 143008987	14. Service Provider Name: Owensboro Municipal Utilities
15. Contract Number: 100-98	16. Billing Account Number: 1100-7476
17. Allowable Contract Date: 01/10/2001	18. Contract Award Date: 06/15/1997
19a. Service Start Date: 07/01/2001	19b. Service End Date:
20. Contract Expiration Date: 08/15/2002	
21. Attachment #: OMUYR4ELEM	22. Block 4 Worksheet No.: 263938
23a. Monthly Charges: \$520.00	23b. Ineligible monthly amt.: \$.00
23c. Eligible monthly amt.: \$520.00	23d. Number of months of service: 12
23e. Annual pre-discount amount for eligible recurring charges (23c x 23d): \$6,240.00	
23f. Annual non-recurring (one-time) charges: \$.00	23g. Ineligible non-recurring amt.: \$.00
23h. Annual pre-discount amount for eligible non-recurring charges (23f - 23g): \$0.00	
23i. Total program year pre-discount amount (23e + 23h): \$6,240.00	
23j. % discount (from Block 4): 90	
23k. Funding Commitment Request (23i x 23j): \$5,616.00	

FRN: 574873	
11. Category of Service: Telecommunications Service	12. 470 Application Number: 720280000324844
13. SPIN: 143004824	14. Service Provider Name: BellSouth Telecommunications, Inc.
15. Contract Number: T	16. Billing Account Number: 270-686-1000
17. Allowable Contract Date: 01/10/2001	18. Contract Award Date:
19a. Service Start Date: 07/01/2001	19b. Service End Date: 06/30/2002
20. Contract Expiration Date:	
21. Attachment #: BSTYR4ELEM	22. Block 4 Worksheet No.: 263938
23a. Monthly Charges: \$2,400.00	23b. Ineligible monthly amt.: \$.00
23c. Eligible monthly amt.: \$2,400.00	23d. Number of months of service: 12
23e. Annual pre-discount amount for eligible recurring charges (23c x 23d): \$28,800.00	
23f. Annual non-recurring (one-time) charges:	23g. Ineligible non-recurring amt.: \$.00

\$0.00	
23h. Annual pre-discount amount for eligible non-recurring charges (23f - 23g): \$0.00	
23i. Total program year pre-discount amount (23e + 23h): \$28,800.00	
23j. % discount (from Block 4): 90	
23k. Funding Commitment Request (23i x 23j): \$25,920.00	

FRN: 574924	
11. Category of Service: Telecommunications Service	12. 470 Application Number: 720280000324844
13. SPIN: 143001182	14. Service Provider Name: Community Telephone Corporation
15. Contract Number: T	16. Billing Account Number: 270-686-1000
17. Allowable Contract Date: 01/10/2001	18. Contract Award Date:
19a. Service Start Date: 07/01/2001	19b. Service End Date: 06/30/2002
20. Contract Expiration Date:	
21. Attachment #: LDMYR4ELEM	22. Block 4 Worksheet No.: 263938
23a. Monthly Charges: \$650.00	23b. Ineligible monthly amt.: \$0.00
23c. Eligible monthly amt.: \$650.00	23d. Number of months of service: 12
23e. Annual pre-discount amount for eligible recurring charges (23c x 23d): \$7,800.00	
23f. Annual non-recurring (one-time) charges: \$0.00	23g. Ineligible non-recurring amt.: \$0.00
23h. Annual pre-discount amount for eligible non-recurring charges (23f - 23g): \$0.00	
23i. Total program year pre-discount amount (23e + 23h): \$7,800.00	
23j. % discount (from Block 4): 90	
23k. Funding Commitment Request (23i x 23j): \$7,020.00	

FRN: 574972	
11. Category of Service: Telecommunications Service	12. 470 Application Number: 720280000324844
13. SPIN: 143000686	14. Service Provider Name: BellSouth Mobility, Inc..
15. Contract Number: MTM	16. Billing Account Number: 270-686-1000
17. Allowable Contract Date: 01/10/2001	18. Contract Award Date:
19a. Service Start Date: 07/01/2001	19b. Service End Date: 06/30/2002
20. Contract Expiration Date:	
21. Attachment #: BSMYR4ELEM	22. Block 4 Worksheet No.: 263938
23a. Monthly Charges: \$270.00	23b. Ineligible monthly amt.: \$0.00
23c. Eligible monthly amt.: \$270.00	23d. Number of months of service: 12
23e. Annual pre-discount amount for eligible recurring charges (23c x 23d): \$3,240.00	
23f. Annual non-recurring (one-time) charges: \$0.00	23g. Ineligible non-recurring amt.: \$0.00
23h. Annual pre-discount amount for eligible non-recurring charges (23f - 23g): \$0.00	
23i. Total program year pre-discount amount (23e + 23h): \$3,240.00	
23j. % discount (from Block 4): 90	
23k. Funding Commitment Request (23i x 23j): \$2,916.00	

FRN: 575048

11. Category of Service: Internal Connections	12. 470 Application Number: 178710000257282
13. SPIN: 143005607	14. Service Provider Name: IBM Corporation
15. Contract Number: C-99000428	16. Billing Account Number:
17. Allowable Contract Date: 12/27/1999	18. Contract Award Date: 01/09/1996
19a. Service Start Date: 07/01/2001	19b. Service End Date:
20. Contract Expiration Date: 06/30/2002	
21. Attachment #: IBMYR4ELEM	22. Block 4 Worksheet No.: 263938
23a. Monthly Charges: \$.00	23b. Ineligible monthly amt.: \$.00
23c. Eligible monthly amt.: \$.00	23d. Number of months of service: 12
23e. Annual pre-discount amount for eligible recurring charges (23c x 23d): \$.00	
23f. Annual non-recurring (one-time) charges: \$180,000.00	23g. Ineligible non-recurring amt.: \$.00
23h. Annual pre-discount amount for eligible non-recurring charges (23f - 23g): \$180,000.00	
23i. Total program year pre-discount amount (23e + 23h): \$180,000.00	
23j. % discount (from Block 4): 90	
23k. Funding Commitment Request (23i x 23j): \$162,000.00	

FRN: 575095

11. Category of Service: Internal Connections	12. 470 Application Number: 178710000257282
13. SPIN: 143005607	14. Service Provider Name: IBM Corporation
15. Contract Number: C-99000428	16. Billing Account Number:
17. Allowable Contract Date: 12/27/1999	18. Contract Award Date: 01/09/1996
19a. Service Start Date: 07/01/2001	19b. Service End Date:
20. Contract Expiration Date: 07/01/2002	
21. Attachment #: IBMYR4WIRELESSELEM	22. Block 4 Worksheet No.: 263938
23a. Monthly Charges: \$ 00	23b. Ineligible monthly amt.: \$.00
23c. Eligible monthly amt.: \$0.00	23d. Number of months of service: 12
23e. Annual pre-discount amount for eligible recurring charges (23c x 23d): \$0.00	
23f. Annual non-recurring (one-time) charges: \$30,489.00	23g. Ineligible non-recurring amt.: \$.00
23h. Annual pre-discount amount for eligible non-recurring charges (23f - 23g): \$30,489.00	
23i. Total program year pre-discount amount (23e + 23h): \$30,489.00	
23j. % discount (from Block 4): 90	
23k. Funding Commitment Request (23i x 23j): \$27,440.10	

FRN: 575129

11. Category of Service: Internal Connections	12. 470 Application Number: 178710000257282
13. SPIN: 143005607	14. Service Provider Name: IBM Corporation
15. Contract Number: C99000428	16. Billing Account Number:
17. Allowable Contract Date: 12/27/1999	18. Contract Award Date: 01/09/1996
19a. Service Start Date: 07/01/2001	19b. Service End Date:
20. Contract Expiration Date: 06/30/2002	
21. Attachment #: IBMYR4VIDEOELEM	22. Block 4 Worksheet No.: 263938

23a. Monthly Charges: \$.00	23b. Ineligible monthly amt.: \$.00
23c. Eligible monthly amt.: \$.00	23d. Number of months of service: 12
23e. Annual pre-discount amount for eligible recurring charges (23c x 23d): \$.00	
23f. Annual non-recurring (one-time) charges: \$284,139.00	23g. Ineligible non-recurring amt.: \$.00
23h. Annual pre-discount amount for eligible non-recurring charges (23f - 23g): \$284,139.00	
23i. Total program year pre-discount amount (23e + 23h): \$284,139.00	
23j. % discount (from Block 4): 90	
23k. Funding Commitment Request (23i x 23j): \$255,725.10	

FRN: 637344	
11. Category of Service: Telecommunications Service	12. 470 Application Number: 720280000324844
13. SPIN: 143666666	14. Service Provider Name: SLD Interim
15. Contract Number: MTM	16. Billing Account Number: 270.686.1000
17. Allowable Contract Date: 01/10/2001	18. Contract Award Date:
19a. Service Start Date: 07/01/2001	19b. Service End Date: 06/30/2002
20. Contract Expiration Date:	
21. Attachment #: APYR4	22. Block 4 Worksheet No.: 263863
23a. Monthly Charges: \$162.00	23b. Ineligible monthly amt.: \$.00
23c. Eligible monthly amt.: \$162.00	23d. Number of months of service: 12
23e. Annual pre-discount amount for eligible recurring charges (23c x 23d): \$1,944.00	
23f. Annual non-recurring (one-time) charges: \$.00	23g. Ineligible non-recurring amt.: \$.00
23h. Annual pre-discount amount for eligible non-recurring charges (23f - 23g): \$0.00	
23i. Total program year pre-discount amount (23e + 23h): \$1,944.00	
23j. % discount (from Block 4): 78	
23k. Funding Commitment Request (23i x 23j): \$1,516.32	

FRN: 637450	
11. Category of Service: Internal Connections	12. 470 Application Number: 375890000113642
13. SPIN: 143005447	14. Service Provider Name: Pomeroy Computer Resources, Inc
15. Contract Number: M99069400	16. Billing Account Number: 0113492
17. Allowable Contract Date: 01/04/1999	18. Contract Award Date: 03/01/1999
19a. Service Start Date: 07/01/2001	19b. Service End Date:
20. Contract Expiration Date: 06/30/2004	
21. Attachment #: PCYR4	22. Block 4 Worksheet No.: 263863
23a. Monthly Charges: \$.00	23b. Ineligible monthly amt.: \$.00
23c. Eligible monthly amt.: \$.00	23d. Number of months of service: 12
23e. Annual pre-discount amount for eligible recurring charges (23c x 23d): \$0.00	
23f. Annual non-recurring (one-time) charges: \$25,446.00	23g. Ineligible non-recurring amt.: \$.00
23h. Annual pre-discount amount for eligible non-recurring charges (23f - 23g): \$25,446.00	
23i. Total program year pre-discount amount (23e + 23h): \$25,446.00	

23j. % discount (from Block 4): 78
23k. Funding Commitment Request (23i x 23j): \$19,847.88

FRN: 637508	
11. Category of Service: Telecommunications Service	12. 470 Application Number: 720280000324844
13. SPIN: 143666666	14. Service Provider Name: SLD Interim
15. Contract Number:	16. Billing Account Number: 270.686.1000
17. Allowable Contract Date: 01/10/2001	18. Contract Award Date:
19a. Service Start Date: 07/01/2001	19b. Service End Date: 06/30/2002
20. Contract Expiration Date:	
21. Attachment #: APYR4ELEM	22. Block 4 Worksheet No.: 263938
23a. Monthly Charges: \$54.00	23b. Ineligible monthly amt.: \$.00
23c. Eligible monthly amt.: \$54.00	23d. Number of months of service: 12
23e. Annual pre-discount amount for eligible recurring charges (23c x 23d): \$648.00	
23f. Annual non-recurring (one-time) charges: \$.00	23g. Ineligible non-recurring amt.: \$.00
23h. Annual pre-discount amount for eligible non-recurring charges (23f - 23g): \$0.00	
23i. Total program year pre-discount amount (23e + 23h): \$648.00	
23j. % discount (from Block 4): 90	
23k. Funding Commitment Request (23i x 23j): \$583.20	

FRN: 637595	
11. Category of Service: Internal Connections	12. 470 Application Number: 375890000113642
13. SPIN: 143005607	14. Service Provider Name: IBM Corporation
15. Contract Number: M99069243	16. Billing Account Number: 270.686.1000
17. Allowable Contract Date: 01/04/1999	18. Contract Award Date: 03/01/1999
19a. Service Start Date: 07/01/2001	19b. Service End Date:
20. Contract Expiration Date: 06/30/2004	
21. Attachment #: IBMYR4ELEM	22. Block 4 Worksheet No.: 263938
23a. Monthly Charges: \$.00	23b. Ineligible monthly amt.: \$.00
23c. Eligible monthly amt.: \$0.00	23d. Number of months of service: 12
23e. Annual pre-discount amount for eligible recurring charges (23c x 23d): \$0.00	
23f. Annual non-recurring (one-time) charges: \$53,553.00	23g. Ineligible non-recurring amt.: \$.00
23h. Annual pre-discount amount for eligible non-recurring charges (23f - 23g): \$53,553.00	
23i. Total program year pre-discount amount (23e + 23h): \$53,553.00	
23j. % discount (from Block 4): 90	
23k. Funding Commitment Request (23i x 23j): \$48,197.70	

FRN: 637677	
11. Category of Service: Internal Connections	12. 470 Application Number: 281240000117225
13. SPIN: 143004771	14. Service Provider Name: Verizon South Incorporated

15. Contract Number: C99000582	16. Billing Account Number: 2706861000
17. Allowable Contract Date: 01/11/1999	18. Contract Award Date: 01/11/1999
19a. Service Start Date: 07/01/2001	19b. Service End Date:
20. Contract Expiration Date: 06/30/2004	
21. Attachment #: VERIZONYR4ELEM	22. Block 4 Worksheet No.: 263938
23a. Monthly Charges: \$.00	23b. Ineligible monthly amt.: \$.00
23c. Eligible monthly amt.: \$0.00	23d. Number of months of service: 12
23e. Annual pre-discount amount for eligible recurring charges (23c x 23d): \$0.00	
23f. Annual non-recurring (one-time) charges: \$95,942.00	23g. Ineligible non-recurring amt.: \$.00
23h. Annual pre-discount amount for eligible non-recurring charges (23f - 23g): \$95,942.00	
23i. Total program year pre-discount amount (23e + 23h): \$95,942.00	
23j. % discount (from Block 4): 90	
23k. Funding Commitment Request (23i x 23j): \$86,347.80	

Block 6: Certifications and Signature

24a. Schools: Y

24b. Libraries or Library Consortia: N

26a. Individual Technology Plan: N

26b. Higher-Level Technology Plan(s): Y

26c. No Technology Plan Needed:

27a. Approved Technology Plan(s): Y

27b. State Approved Technology Plan: N

27c. No Technology Plan Needed:

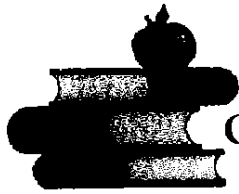
36. Printed Name of Authorized Person: Mary Ann Payton

37. Title or Position of Authorized Person: Director of Technology

38. Telephone Number of Authorized Person: (270) 686-1000 ext.256

Refresh Page

Close Print Preview



OWENSBORO PUBLIC SCHOOLS

"A Tradition of Excellence Since 1871"

1335 West Eleventh Street
P.O. Box 249
Owensboro, Kentucky 42302-0249

DEPARTMENT OF INSTRUCTION

Larry Vick, Ed.D.
Superintendent
Phone: (270) 686-1000
FAX: (270) 684-5756

October 30, 2002

Contact Name: Susie Lansford
Address: 1335 W. 11th St.
City: Owensboro State: KY Zip: 42301
Contact Phone: (270) 686-1000
Contact Fax: (270) 684-5756
E-mail: slansford@owensboro.k12.ky.us

"This letter is appealing the postmark date on the 471 application."

Form being appealed: Schools & Libraries Service Services Ordered and Certification
Form # 471

Applicant's Form Identifier: 472128995011
471 Application Number: 241629
Funding Year: 07-01-2001 – 06/30/2002
Billed Entity Number: 128995
Document Date: 1/18/01

Per a conversation with Gwen at SLD on October 29, 2002, we have discovered that our 471 application for the above funding year (year 4) was not reviewed. Therefore we never received a Funding Commitment Decision Letter for year 4. The reason given for not being reviewed according to Gwen at SLD is that the 471 form was not postmarked by the deadline, January 18, 2001. Your records indicate that it was postmarked on January 19, 2001.

However, in reviewing our records, we find that the application was postmarked January 18, 2001 (a copy of the postmarked stamp is attached).

We would appreciate your consideration in reviewing our application again.

Susie Lansford

Owensboro Independent School District
Owensboro, KY

117 East 18th Street
Owensboro, KY 42303

Telephone 502-684-8000
Fax 502-684-1888

Packages Plus+

2626 West Parrish Ave.
Owensboro, KY 42301

Telephone 502-685-2474
Fax 502-684-6045

March 12, 2003

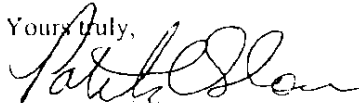
Dear Sir,

This letter is to confirm that a letter was presented to our business for certification from Owensboro High School on January 18th 2001. We charged them for that service on that day and presented that letter to the Owensboro Post Office on the same day. The person delivering the letter to us expressed to us that the letter was very important for future funding and had to be post marked that day. As is our policy we meter the mail and deliver it to the Post Office by 6:00 P.M. Central everyday. This particular letter was round dated on that day at our main Post Office. The sticking point of this situation seems to be the exact date that was roundstamped on the certified receipt. Upon inspection of the original certified receipt, it is my opinion that any reasonable doubt as to whether the date is the 18th or 19th is clearly evident. As I hope you can see from the official document that the number in question clearly has a zero at the bottom of the number as an eight or six would, and not a slash as a nine or a seven would.

I have discussed this issue with numerous parties who have no involvement in this situation, and all are in agreement that the rounddated certified document in Owensboro High School's possession supersedes any other round dates. As you are well aware only Postal employees are allowed to possess round date stamps with their official seal. Furthermore, it is a federal offense to falsely backdate a mail piece. I know of no one in the Postal Service that is willing to serve jail time for this offense.

I hope this letter helps clarify Packages Plus' position in this matter, if you need to discuss this directly with me please call 270-684-8000.

Yours truly,



Patrick Osborne
Owner
Packages Plus

PAID MAIL PERMIT NO. 1000
2020-01-01 TO 2020-12-31
BY FIRST CLASS PERMIT NO. 1000
1000-01-01 TO 2020-12-31

MAIL #1000-01-01 TO 2020-12-31

post marked
by Jan 18 25 in
directions under
US Tax

Ineligible Orgs: N

in THIS Application

STATE OF KENTUCKY)

COUNTY OF MUHLENBERG)

AFFIDAVIT

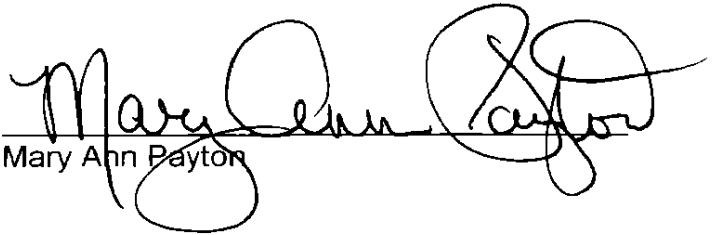
Affiant, Mary Ann Payton, after being duly sworn, deposes and states that during the 2000-2001 school year, and specifically during the month of January, 2001, she was employed by the Owensboro Independent School District in the position of District Technology Coordinator. In that position Affiant was familiar with, and directly involved in the application procedure pertaining to, technology funding made available by the Schools And Libraries Division of the Universal Service Administrative Company.

On January 18, 2001, after having made several revisions in a variety of application package documentation, Affiant delivered the Form 471 application package to Packages Plus, a program acceptable and customarily used delivery service in Owensboro, Kentucky, for forwarding on in compliance with all applicable guidelines. On that occasion Affiant was well aware of the January 18, 2001, filing deadline. Affiant received a cash receipt from Packages Plus, a photostatic copy of which is attached hereto. On that receipt, Affiant, knowing of the importance of the filing deadline date, and noticing the print was becoming partially smudged, covered the receipt date area with scotch tape in an attempt to preserve the integrity of that information; and placed a handwritten note thereon for the same purpose. Affiant has examined the original of the cash receipt only to learn that apparently the chemical effect of the tape used has more or less destroyed the legibility of the subject date. While Affiant does certainly not propose to be a scientist, information on the Internet


indicates (copy attached) that such is in fact often the result of the chemical reaction which apparently occurred on this occasion.

Further Affiant saith naught.

This 3rd day of June, 2003.


Mary Ann Payton

SUBSCRIBED AND SWORN TO before me by Mary Ann Payton, on this 3rd day of June 2003.


Notary Public, State-At-Large
My commission expires: 8/12/03

POSTAGE
PAID BY ADDRESSEE
FIRST CLASS PERMIT NO. 100
NEW YORK, N.Y.

POSTAGE WILL BE PAID BY ADDRESSEE



POSTAGE WILL BE PAID BY ADDRESSEE
FIRST CLASS PERMIT NO. 100
NEW YORK, N.Y.

post marked
by Jan 18 25 10
directions under
US Date

Ineligible Orgs: N

in THIS Application

[BC] EAS paper

Page 1 of 2

[BC] EAS paper

Barry Mishkind broadcast@broadcast.net
Sat, 10 May 1997 23:10:52 -0700

- Previous message: [BC] Chairs for Control
 - Next message: [BC] EAS paper
 - Messages sorted by: [date] [thread] [subject] [author]
-

This should be of interest to many of you....

>From Bob Gonsett's Newsletter:

WILL THE FCC ACCEPT THERMAL PAPER FOR EAS LOG ENTRIES?

Carl Gluck of Salem Communications writes as follows:

Nikki Shears, an FCC inspector in the Denver regional office, told us that affixing the EAS printer tape to the station or EAS log was not complete unless its data is transcribed in permanent ink. She said some of the thermal paper and facsimile paper fades over time - and in 6 months some of the tapes are not legible. Sounds like things are different with the inspectors here in (Southern California).

In response to the "thermal paper crisis," (the CGC Communicator deals with only major issues), we wrote to FCC's Frank Lucia who responded as follows:

It is up to stations to insure the readability of their logs. Making a xerox of the printout or using the RS 232 port on the EAS equipment to print EAS messages on an external printer are possible solutions.

Yipes! This sounds like a lot of work and complication. So, we asked for clarification and Mr. Lucia replied:

See 73.1840: Retention of Logs. This part applies to EAS logs just as other logs required of broadcasters - especially (subsection b). You may wish to publish this section as these are the requirements. I think Nikki was worried about readability after a period of time.

FCC Rule Section 73.1840 basically holds that logs must be retained for two years except those logs involving disaster communications, claims or complaints or an investigation by the FCC. Those logs may have to be retained much longer. We highly recommend that you read the whole rule section, however.

All things considered, CGC believes that the use of thermal paper could be acceptable provided high-quality recently-dated paper is used and it is stored away from heat and light so it will last at least two years (photocopy the tape in question if it must be retained longer). Lou Schneider of KSRO/KFGY/KMGG/KXFX adds that "placing scotch tape on the print side of a thermal printout will cause the printing underneath

[BC] EAS paper

Page 2 of 2

the tape to fade out within a couple of months. Yes, I learned this the hard way."

So, read the Rules, come to your OWN conclusions and use thermal paper appropriately if you elect to use it in lieu of other forms of log entries. Be prepared to answer the "two year question" should an FCC inspector ask.

- - - - -
You are reading the BROADCAST Mailing List for broadcast professionals: This mailing list is also available in digest form (each day's messages are combined into one digest ... which can be helpful if you want to reduce the number of messages you receive).

**** FOR CHANGES IN SERVICE

send email to: MAJORDOMO@broadcast.net (not to the mailing list)
**** in the text area use ONLY one (or more) of the following lines

as appropriate:
unsubscribe broadcast <your address>
subscribe broadcast-digest <your address>
subscribe broadcast <your address>
- you may also (un)subscribe to other mailing lists in the same message. (broadcast-fcc, sbe, tv-tech, etc)

Or, point your browser to: <http://www.broadcast.net/blists.html>
where you will find easy sign-up and sign-off options.....

Barry Mishkindbarry@broadcast.net

Tucson, AZ

-
- Previous message: [\[BC\] Chairs for Control](#)
 - Next message: [\[BC\] EAS paper](#)
 - Messages sorted by: [\[date \]](#) [\[thread \]](#) [\[subject \]](#) [\[author \]](#)

Seiko Instruments USA Inc. - Support FAQs

Page 1 of 1

Fading Labels

All SLPs use thermal labels for printing. By using thermal labels, the reliability of the printer is much better than printers that require ribbons or ink pads. However, there are two limitations to thermal labels:

1. First, thermal paper/labels are sensitive to UV (ultraviolet) light. UV light reacts with the thermal coating and fades the image.
2. Second, the thermal coating will react to the gas vapors released by the polyvinyl used in most plastic binders, causing the image to fade.

270 754 4031